

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOE SILVA,

Petitioner,

v.

UNKNOWN,

Respondent.

No. 2:24-cv-0618 DJC AC P

ORDER

Petitioner is a state prisoner proceeding pro se with a habeas corpus petition filed pursuant to 28 U.S.C. § 2254. After respondent filed a motion to dismiss the petition on the ground that at least some of the claims were unexhausted (ECF No. 19), the court issued a notice to petitioner regarding exhaustion and stating that he had thirty days from service of the order to respond to the motion to dismiss (ECF No. 20). Thirty days have now passed, and petitioner has not opposed the motion. Good cause appearing, IT IS HEREBY ORDERED that, within twenty-one days after the filing service of this order, petitioner shall file and serve an opposition or statement of non-opposition to the pending motion to dismiss. Failure to comply with this order will result in a recommendation that this action be dismissed without prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

DATED: February 10, 2025

  
ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE